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The court has the discretion to appoint counsel in a § 2241 action upon finding that “the interests of justice so require.” *See* Criminal Justice Act, 18 U.S.C.A. § 3006A(a)(2)(B) (West Supp. 2006). Given the nature of Ms. Dye’s claims in this action, I cannot find that the interests of justice warrant appointing counsel for her, although I sympathize with her situation.<sup>1</sup>

In her “Motion to Rectify,” Ms. Dye states that she has completed the six-year state sentence imposed by the Circuit Court of Russell County, Virginia, in March of 2000 and should be transferred to a federal facility to begin her federal sentence. Records submitted with the Motion to Dismiss, however, clearly indicate that Ms. Dye has another state sentence to serve before she is released to federal custody in 2009.<sup>2</sup>

For the stated reason, it is hereby **ORDERED** that petitioner’s Motion for Appointment of Counsel and her Motion to Rectify are **DENIED**, and she is directed to file her response to the Motion to Dismiss on or before March 1, 2007.

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<sup>1</sup> Ms. Dye or her husband may be able to recover an appropriate portion of the \$8,000 retainer fee from Mr. Green since he was unable to complete the representation for which he was hired. If there is a dispute about this matter, they may contact the Virginia State Bar for assistance, at 804/775-0570 (toll free 866/548-0873).

<sup>2</sup> On April 4, 2000, the state court ordered her to serve two previously suspended sentences totaling four years and eight months. (Mot. Dismiss, Ex. C.)

ENTER: February 2, 2007

/s/ JAMES P. JONES  
Chief United States District Judge